

tants and not more than three hundred fifty thousand (350,000) inhabitants, according to the last preceding Federal Census to attach land and territory not in any town or city and within one mile of the limits of such towns or cities for zoning purposes; defining such purposes; extending the police power of such towns and cities to include land and territory so attached and the residents and owners thereof for the purpose of enforcing its zoning ordinances; authorizing the appointments of residents of the territory so attached on the Zoning Commission and Board of Adjustment of such cities and towns; authorizing such towns and cities to fix and enforce penalties for the violation of the zoning ordinances of such towns and cities; providing if any part of this Act is held to be unconstitutional or invalid for any reason the remaining portion of this Act shall be effective and not affected by such decision; making conflicting laws inapplicable to zoning of such attached territory; providing that this Act shall be cumulative of all laws not inconsistent herewith, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

## TWENTY-EIGHTH DAY

(Friday, February 24, 1939)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Honorable Homer Leonard.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Bridgers
Allen	Broadfoot
Allison	Brown of Cherokee
Alsup	Brown of Nacogdoches
Anderson	Bundy
Bailey	Burkett
Baker	Burney
of Fort Bend	Cauthorn
Baker of Grayson	Celaya
Bell	Chambers
Blankenship	Clark
Bond	Cleveland
Boyd	Cockrell
Boyer	Coleman
Bradbury	Colquitt
Bradford	Colson, Mrs.
Bray	

Cornett	McAlister
Corry	McDaniel
Crossley	McDonald
Daniel	McFarland
Davis of Jasper	McMurry
Davis of Upshur	McNamara
Dean	Mohrmann
Derden	Monkhouse
Dickison	Montgomery
Dickson	Morris
Donaghey	Newell
Dowell	Nicholson
Dwyer	Oliver
Faulkner	Olsen
Felty	Petsch
Ferguson	Pevehouse
Fielden	Piner
Fuchs	Pope
Galbreath	Ragsdale
Gilmer	Reader of Bexar
Goodman	Reader of Erath
Gordon, Mrs.	Reaves
Hale	Reed
Hamilton	Rhodes
Hankamer	Riviere
Hardeman	Roach
Hardin	Roberts
Harp	Russell
Harper	Schuenemann
Harrell of Lamar	Segrist
Harris	Shell
Hartzog	Skiles
Heflin	Smith of Frio
Holland	Smith of Hopkins
Howard	Smith
Howington	of Matagorda
Hull	Spencer
Hunt	Stinson
Isaacks	Stoll
Johnson of Ellis	Tarwater
Johnson of Tarrant	Taylor
Keith	Tennant
Kennedy	Thornberry
Kern	Thornton
Kerr	Turner
Kersey	Vale
Kinard	Vint
King	Voigt
Langdon	Waggoner
Lehman	Weldon
Leonard	Wells
Leyendecker	Westbrook
Little	White
Lock	Wilson
Loggins	Wood
London	Worley
Mays	Wright
	Absent—Excused
Harrell of Bastrop	Talbert
Pace	Winfree
Robinson	

A quorum was announced present.

Prayer was offered by Rev. George W. Coltrin, Chaplain, as follows:

"Our Heavenly Father, we come into Thy presence this morning humbled by the magnitude and importance of our tasks. With a sense of our need we pray for divine guidance for today and for every day. Do Thou lead us in all our ways and enable us to see clearly the path of duty. In Jesus' name. Amen."

#### LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Harrell of Bastrop for today, on motion of Mr. Broadfoot.

Mr. Pace for today, on motion of Mr. Goodman.

Mr. Winfree for today, on motion of Mr. Tarwater.

Mr. Talbert for today, on motion of Mr. Kennedy.

The following Member was granted leave of absence on account of illness in his family:

Mr. Robinson for today, on motion of Mr. Thornton.

#### HOUSE BILLS ON FIRST READING

The following House bills, introduced on yesterday, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Heflin:

H. B. No. 710, A bill to be entitled "An Act to amend Article 1344 of the Revised Civil Statutes, 1925, by providing for the exemption from the provisions of same corporations operating or hereafter to operate under Chapter 40, page 77, Acts of Regular Session of Forty-first Legislature, and having on deposit with State Treasurer or other approved depository One Hundred Thousand (\$100,000.00) Dollars as provided in Section 6 of said Act."

Referred to the Committee on Insurance.

By Mr. McMurry:

H. B. No. 711, A bill to be entitled "An Act to provide a more adequate and equitable salary of County Superintendents of Public Instruction, and providing that said salary may be

fixed by the County Board of Education in all of those counties of the State of Texas coming within the brackets and population figures herein named, and repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

Referred to the Committee on School Districts.

By Mr. Morris:

H. B. No. 712, A bill to be entitled "An Act to amend Article 5221-b-17, Subsection 6, providing exemption of student nurses, and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Mohrmann:

H. B. No. 713, A bill to be entitled "An Act providing relief for the Leesville Common School District No. 28 and the De Witt Common School District No. 47 in Gonzales County in replacing and repairing damage to buildings and equipment caused by a calamitous flood resulting from a cloudburst on July 1, 1936; making an appropriation for said Districts to replace and repair such damage, and declaring an emergency."

Referred to the Committee on Appropriations.

By Mr. Coleman:

H. B. No. 714, A bill to be entitled "An Act to amend Article 2, Section 3 of the Acts of the Forty-fourth Legislature, Third Called Session; and Article 4 of the Forty-fourth Legislature, Third Called Session, by striking out a part of Subdivision (g) of said Section 4 and making certain insertions in lieu thereof; repealing all laws in conflict therewith, and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Fielden:

H. B. No. 715, A bill to be entitled "An Act amending Article 199, Revised Civil Statutes of Texas, 1925, as amended by the Forty-fifth Legislature, Regular Session, Senate Bill No. 431, insofar as the same relates to the 76th Judicial District composed of Titus, Franklin, Camp, Morris and Marion Counties; providing certain changes in the terms for said Counties; providing that any court in ses-

sion at the time this Act becomes effective shall close its term in conformity herewith; repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

Referred to the Committee on Judicial Districts.

By Mr. Petsch:

H. B. No. 716, A bill to be entitled "An Act amending Article 4619, Revised Civil Statutes, 1925, revision, so as to more clearly define what constitutes community property."

Referred to the Committee on Judiciary.

By Mr. Petsch:

H. B. No. 717, A bill to be entitled "An Act to amend Article 212 of the Code of Criminal Procedure, 1925, revision, as hereinafter set out."

Referred to the Committee on Criminal Jurisprudence.

By Mr. Hardeman:

H. B. No. 718, A bill to be entitled "An Act to amend Article 3740 of Title 55 of the Revised Civil Statutes of Texas, 1925, relating to notice by publication in the taking of depositions of witnesses in civil cases, and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Hardeman:

H. B. No. 719, A bill to be entitled "An Act to amend Article 6085 of Title 104 of the Revised Civil Statutes of Texas of 1925, relating to the publication of citation where defendant is unknown, and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Hardeman:

H. B. No. 720, A bill to be entitled "An Act to amend Article 4595, Title 73 of the Revised Civil Statutes of Texas, 1925, relating to sales to satisfy liens of hotel and boarding house proprietors and innkeepers, and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Dickison, Mr. Anderson, Mr. Hull, Mr. Corry, Mr. McAlister, Mr. Bradford, Mr. Johnson of Tarrant, Mr. Reader of Bexar and Mr. Felty:

H. B. No. 721, A bill to be entitled

"An Act providing limitations on money expended by Members of the Legislature as campaign expenses in certain counties; repealing all laws and parts of laws in conflict therewith, and declaring an emergency."

Referred to the Committee on Privileges, Suffrage and Elections.

By Mr. Dickison, Mr. Reader of Bexar, Mr. Dwyer, Mr. Hull, Mr. Corry, Mr. McAlister, Mr. Anderson, Mr. Bradford, Mr. Johnson of Tarrant and Mr. Felty:

H. B. No. 722, A bill to be entitled "An Act providing for the sum of money required for placing names on the primary ballot in certain counties repealing all laws and parts of laws in conflict, and declaring an emergency."

Referred to the Committee on Privileges, Suffrage and Elections.

By Mr. Fielden:

H. B. No. 723, A bill to be entitled "An Act making appropriations to pay miscellaneous claims out of the General Fund; providing that before payment of any claim shall be paid from funds hereby appropriated the same shall have the approval of the State Comptroller, the State Auditor, and the Attorney General, and provided further that any claim involving the refund of a franchise tax shall also carry the approval of the Secretary of State in addition to the other officials herein named, and declaring an emergency."

Referred to the Committee on Claims and Accounts.

By Mr. Baker of Fort Bend:

H. B. No. 724, A bill to be entitled "An Act amending Article 2326a of the 1925 Revised Civil Statutes of Texas (which said Article 2326a was passed by Acts, 1929, Forty-first Legislature, P. 112, C. H. 56) by adding thereto a provision for expenses for court reporters in certain judicial districts, and declaring an emergency."

Referred to the Committee on Judicial Districts.

By Mr. Mohrmann:

H. B. No. 725, A bill to be entitled "An Act providing that all officers and employees of the State of Texas, any county, or political subdivision thereof, including municipalities, who

are members of the National Guard, National Guard Reserve, or Organized Reserves of the Army or Navy of the United States, shall be entitled to leave of absence without loss of pay or efficiency rating during such days as they may attend training ordered or authorized under provisions of law, and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Gilmer:

H. B. No. 726, A bill to be entitled "An Act applicable to the Counties of Edwards, Kerr, Kimble, Sutton, Schleicher, Mason, Menard, Real, Bandera, Crockett, State of Texas; requiring a resident hunting license of any resident citizen of this State hunting in said Counties, with certain exemptions; requiring a fishing license of any resident citizen of this State fishing in said Counties with certain exemptions; providing for the remittance to the Game, Fish and Oyster Commission of all funds collected under the provisions of this Act and providing for the disposition of same; providing suitable penalties for violation of any provision of this Act; repealing all laws, in so far as they conflict with any provision of this Act; providing the rule of construction, and declaring an emergency."

Referred to the Committee on Game and Fisheries.

By Mr. Rhodes and Mr. Fuchs:

H. B. No. 727, A bill to be entitled "An Act defining certain terms, levying a tax upon persons, firms, and corporations transacting business as security and/or commodity brokers; providing that each person, firm, or corporation subject to such tax shall make reports and pay the tax in accordance with the provisions of Article 7058, Revised Civil Statutes, 1925, as amended; allocating certain funds to the Available School Fund and to the Old Age Assistance Fund; declaring the Act to be severable, repealing all laws in conflict, and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

By Mr. Goodman:

H. B. No. 728, A bill to be entitled "An Act to repeal Article 7047G, Chapter 1, Title 122, Acts of the Third Called Session of the Forty-

fourth Legislature of Texas, and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

By Mr. Morris:

H. B. No. 729, A bill to be entitled "An Act defining certain words, terms and phrases for the purpose of this Act; providing and requiring all purchasers of any livestock to obtain a bill of sale from the seller of such livestock; providing what information and facts shall be contained in such bill of sale; providing that such purchaser or purchasers shall keep such bill of sale on file and available for inspection for a period of two years from the date thereof; providing that such record and bill of sale shall be kept on file and available and open to inspection of any peace officer of this State; providing penalties for the violation of this Act, and declaring an emergency."

Referred to the Committee on Livestock and Stock Raising.

By Mr. Olsen:

H. B. No. 730, A bill to be entitled "An Act to amend an Act of the Thirty-fourth Legislature entitled an Act to create a more efficient road system for Lavaca County, Texas, being Chapter 75, Local and Special Laws, Regular Session, 1915, as amended by an Act of the Forty-first Legislature, being Chapter 24, Local and Special Laws, Fourth Called Session, 1930, by adding thereto Section 19, authorizing the Commissioners Court to issue funding or refunding bonds in lieu of outstanding scrip warrants against the Road and Bridge Fund as of December 31st, 1938, providing the method of issuing such bonds, making it the duty of the Commissioners Court to levy a tax sufficient to pay the principal and interest on such bonds as they mature and accrue, and providing for the validating of such scrip warrants; and by adding thereto Section 20, authorizing the Commissioners' Court to levy a tax not exceeding fifteen cents on the One Hundred Dollars valuation for the further maintenance of the public roads in any political subdivision, Commissioners precinct or defined district heretofore or hereinafter created of the County, upon presentation of a petition, and the holding of an election for such purpose, enacting provisions, powers, and

duties relating to the subject; making the General Laws pertaining to roads and bridges applicable in Lavaca County, providing that the provisions of this Act shall be effective in case of conflict with any General or Special Law; providing that if any portion of this Act shall be held invalid, such holding shall not affect the other portion hereof; repealing all laws in conflict, and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Gilmer:

H. B. No. 731, A bill to be entitled "An Act declaring cockleburrs, hoarhound and bitter weeds to be injurious, obnoxious and poisonous plants, providing for the removal and destruction of same by the State Highway Commission, the several counties of this State, railroad companies, pipe line companies, and all other persons, corporations or associations of persons owning or controlling State Highways, lateral roads and fenced right-of-ways within the State of Texas; providing a penalty, and declaring an emergency."

Referred to the Committee on Highways and Motor Traffic.

By Mr. Fielden:

H. B. No. 732, A bill to be entitled "An Act to amend Article 1443 of the Penal Code, and declaring an emergency."

Referred to the Committee on Livestock and Stock Raising.

By Mr. Coleman:

H. B. No. 733, A bill to be entitled "An Act amending Article 7065, Revised Civil Statutes of 1925, as amended by Chapter 93, Acts of the Regular Session of the Fortieth Legislature, as amended by House Bill No. 6, Chapter 88, page 172 of the General Laws of the State of Texas, Forty-first Legislature, Second Called Session, 1929, amending Section 10 of said House Bill No. 6, Chapter 88, page 172, providing mode and manner of collecting motor license fees; directing allocation of same, including distribution and apportionment of such license fees, providing for the use of revenues collected hereunder; repealing all laws and parts of laws in conflict herewith to the extent of

the conflict only, and declaring an emergency."

Referred to the Committee on Highways and Motor Traffic.

By Mr. Hankamer:

H. B. No. 734, A bill to be entitled "An Act to amend Section 3 (c) and Section 5 of Chapter 506, Acts of the Forty-fifth Legislature, Regular Session, said Chapter 506 being Article 7345b of Vernon's Annotated Civil Statutes, and adding Section (e) to Section 3 thereof; the amendment of Section 3 (c) providing in tax suits for service by publication where any defendant in such suit is a non-resident of the State, or is absent from the State; where the owner, or owners, be unknown; where the residence of any defendant is unknown; where property has accrued to the heirs or devisees of a deceased person, or to the stockholders of a defunct corporation; where property has been conveyed to a person or corporation, as trustee, for service upon the persons holding the beneficial title, whose names are unknown; providing that it shall be sufficient to designate such defendants in the petitions and that no affidavit shall be necessary; providing that such citation shall be addressed as citations in ordinary suits; providing for the payment by the county of costs for serving notices to serve non-residents and the costs of publication of citations, notices and all matters required, or authorized by law to be published; adding Section 3 (e) providing that where an estate has an interest in property upon which taxes are delinquent, suit may be brought for such taxes; providing that it shall be proper to include the executor, administrator, or guardian of said estate as a party defendant; providing presentment of claim to such executor, administrator, or guardian, shall not be necessary; providing that in case of foreclosure, an order of sale shall issue and the property be sold thereunder; providing that, in cases where a lienholder asserts his lien in such tax suit, that if the amount bid at the foreclosure sale does not exceed the amount of taxes, penalties, interest and costs, that the right of redemption shall exist and the deed shall so provide, and that where the amount bid exceeds the amount of taxes, penalties, interest and costs, the right of redemption shall not exist, and the deed

shall so provide; providing that it shall not be necessary to certify the judgment rendered to the Probate Court for observance and enforcement; providing that any excess in the proceeds of said sale shall be paid to the executor, administrator or guardian for disposition according to law; providing that an executor, administrator or guardian may make payment of the taxes, penalties, interest and costs, or the judgment thereon, under an order of the County Court and relieving him and his sureties of responsibility on his bond, by reason of such payment; providing that the classification of claims, and their priority of payment shall not be affected; amending Section 5 by omitting the provisions limiting the application of the 'adjudged value' clause to the year 1935 and prior years; providing that the provisions of this Act shall be cumulative of all laws on the subject of this Act and in case of conflict, the provisions of this Act shall govern; providing if any part of the Act is declared invalid, the remainder of the Act shall not be affected, and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Boyd:

H. B. No. 735, A bill to be entitled "An Act authorizing the Commissioners' Court of any County in this State or the governing body of any other subdivision of this State to enter into agreements with the Texas State Employment Service for the establishment and maintenance of a free public employment service within such county or political subdivision and authorizing the Commissioners' Court of any county or the governing body of any other political subdivision to appropriate and expend monies for such purpose."

Referred to the Committee on Counties.

By Mr. Loggins:

H. B. No. 736, A bill to be entitled "An Act amending Article 1397 of the Penal Code of the State of Texas, and declaring an emergency."

Referred to the Committee on Criminal Jurisprudence.

By Mr. Felty:

H. B. No. 737, A bill to be entitled "An Act providing for the labeling of pecans, giving the name of the

grower and the location of the orchard or grove producing the same, and making it unlawful for anyone to purchase pecans not containing such label, and declaring an emergency."

Referred to the Committee on Commerce and Manufactures.

By Mr. Schuenemann:

H. B. No. 738, A bill to be entitled "An Act providing for the closing and sealing of sewerage by-passes which permit sewerage to enter into any stream or river; providing that such by-passes shall not be opened nor seals broken except in an emergency; declaring the violation of any part of this Act to be a misdemeanor and providing the penalty for the violation thereof, and declaring an emergency."

Referred to the Committee on Public Health.

By Mr. Cornett:

H. B. No. 739, A bill to be entitled "An Act to repeal Chapter 47, House Bill No. 110, Acts, First Called Session of the Forty-third Legislature, pertaining to the use of seines and nets in Red River County, and declaring an emergency."

Referred to the Committee on Game and Fisheries.

By Mr. Bell:

H. B. No. 740, A bill to be entitled "An Act validating certain bonds in cities in the State of Texas operating under the General Laws of the State and located in counties having a population less than 27,500 and more than 27,400, according to the last preceding United States Census, which bonds have been heretofore voted subsequent to enactment of Chapter 382, Acts of the First Called Session of the Forty-fourth Legislature of Texas, 1935, and which bonds are payable out of the revenue to be derived from the operation of a municipal light and power distribution system, and declaring an emergency."

Referred to the Committee on Municipal and Private Corporations.

By Mr. Harrell of Lamar:

H. B. No. 741, A bill to be entitled "An Act changing the name of the Girls' Training School to be hereafter known as the Gainesville State School for Girls."

Referred to the Committee on State Eleemosynary and Reformatory Institutions.

By Mr. Harrell of Lamar:

H. B. No. 742, A bill to be entitled "An Act changing the name of the State Juvenile Training School to be hereafter known as the Gatesville State School for Boys."

Referred to the Committee on State Eleemosynary and Reformatory Institutions.

By Mr. Harrell of Lamar:

H. B. No. 743, A bill to be entitled "An Act changing the name of the State Orphan Home to be hereafter known as the Corsicana State Home."

Referred to the Committee on State Eleemosynary and Reformatory Institutions.

By Mr. Hartzog:

H. B. No. 744, A bill to be entitled "An Act for the purpose of better preserving the game and fish resources of Calhoun and Jackson Counties by closing certain waters in Calhoun and Jackson Counties to certain types of net fishing and prohibiting the use of the oyster dredge in certain areas and making legal the operation of the pocket net or drag seine in certain waters; providing a penalty; repealing House Bill No. 232 of the Regular Session of the Forty-fifth Legislature, House Bill No. 67, Acts of the First Called Session of the Forty-fifth Legislature, and Article 937a, Penal Code of the State of Texas, and declaring an emergency."

Referred to the Committee on Game and Fisheries.

By Mr. Worley:

H. B. No. 745, A bill to be entitled "An Act amending Article 7047 (6) of the Acts, First Called Session, 1897; page 49; Acts, 1931, Forty-second Legislature, page 355, Chapter 212, Section 1, and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

By Mr. Chambers and Mr. Roberts:

H. B. No. 746, A bill to be entitled "An Act to amend Section 5 of Chapter 42, Acts, Forty-first Legislature, Second Called Session, as amended by Chapter 282, Acts, Forty-second Legislature, Regular Session, so as to raise the load limit on livestock and certain agricultural products, and declaring an emergency."

Referred to the Committee on Highways and Motor Traffic.

By Mr. Davis of Upshur:

H. B. No. 747, A bill to be entitled "An Act amending Article 6205, Revised Civil Statutes of Texas, 1925, as amended by Section 2, Chapter 262, Acts, Regular Session of the Forty-second Legislature, 1931, and as amended by Acts, 1937, Forty-fifth Legislature, House Bill No. 651, Section 1, and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Hartzog:

H. B. No. 748, A bill to be entitled "An Act to aid the City of Port Lavaca in constructing and maintaining revetments, and in the restoring, protection and improvement of the harbor and bay shore front of the City of Port Lavaca, and for the purchase, by condemnation or otherwise, of all lands necessary for said bay shore front and harbor improvements, all for public use, by donating to said City of Port Lavaca the ad valorem taxes to be collected by the State of Texas on all property and from all persons owning property situated in Calhoun County, State of Texas, for a period of 20 years, and to authorize said city to issue bonds for the purposes mentioned, and to provide a penalty for the misappropriation of funds raised therefor, and to declare an emergency; by extending the provisions of said Act for a period of 30 years from September 1st, 1920, to aid the City of Port Lavaca to pay interest and sinking funds upon outstanding bonds heretofore issued or hereafter issued, the proceeds of which have been used exclusively in the construction and maintaining a sea wall, breakwater, harbor and shore protection, to protect the City of Port Lavaca and issues bonds for further construction; providing that said remission shall not affect the homestead exemption in said county, and providing the Act shall become null and void upon the passage of the Constitutional amendment abolishing the State ad valorem tax."

Referred to the Committee on State Affairs.

By Mr. Hartzog:

H. B. No. 749, A bill to be entitled "An Act amending Sections 2, 3, 4, and 9 of Chapter 241, Acts of the Regular Session of the Forty-fourth Legislature, as amended by Section 1a, Article III, Chapter 495, Acts of

the Third Called Session of the Forty-fourth Legislature, and by Chapter 310, Acts of the Regular Session of the Forty-fifth Legislature, levying a tax of Two Dollars and Fifty Cents (\$2.50) per thousand on cigarettes weighing not more than three (3) pounds per thousand and Five (\$5.00) Dollars per thousand on those weighing more than three (3) pounds per thousand; fixing permit fees for distributors, wholesale dealers and retail dealers, authorizing Comptroller to administer oaths and subpoena witnesses to appear before him and produce the records required to be kept, and providing for the payment of witness and mileage fees to such witnesses; authorizing Board of Control to have new stamps printed and appropriating funds therefor; preserving all taxes, penalties and interest accruing to the State under pre-existing laws before the effective date of this Act; providing that offenses committed or prosecutions begun shall not be affected by this Act but such offenses or prosecutions may be tried under the law as it existed at the time of the commission of the offense; providing that if any portion of this Act is held invalid or unconstitutional it shall not affect the validity of the remaining portions thereof; allocating the revenues derived from this Act, and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

By Mr. Ragsdale, Mr. Corry and Mr. Fuchs:

H. B. No. 750, A bill to be entitled "An Act creating a Texas Agricultural Commission consisting of three (3) members; providing that the Commissioner of Agriculture, the Chairman of the Board of Water Engineers and the Chairman of the Game, Fish and Oyster Commission shall constitute the Texas Agricultural Commission until January 1, 1941; providing for the election of the members of the Commission; prescribing their terms of office, qualifications and salary; providing for the election of the Chairman of the Commission; providing for the appointment of a Secretary and fixing his salary; providing for the employment of clerical and technical services; providing that the Commission, its agents, representatives and employees shall constitute the Texas Agricultural Department;

providing for the creating of Divisions within the Department; transferring all the rights, powers and duties of the Commissioner of Agriculture; the Board of Water Engineers, the State Reclamation Engineer, the Live Stock Sanitary Commission of Texas, the Game, Fish and Oyster Commission, and the Feed Control Service of the Texas Agricultural Experiment Station to the Texas Agricultural Commission; abolishing the offices of Commissioner of Agriculture and State Reclamation Engineer, and the Board of Water Engineers, the Live Stock Sanitary Commission, and the Game, Fish and Oyster Commission; providing for the transfer of staffs, records and physical properties and funds of the officers, agencies, or units affected by this Act; prescribing the rights, powers and duties of the Texas Agricultural Commission; defining certain terms; providing a saving clause, repealing all laws in conflict herewith, making an appropriation, and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Goodman:

H. B. No. 751, A bill to be entitled "An Act amending Section 8 of Article 827a of the Penal Code of the State of Texas relative to the speed of motor vehicles, and declaring an emergency."

Referred to the Committee on Highways and Motor Traffic.

By Mr. McDonald and Mr. Dickison:

H. B. No. 752, A bill to be entitled "An Act providing for certificating teachers to teach in the public schools and junior colleges of Texas; providing the manner of issuing such certificates, giving certain authority to the State Superintendent of Public Instruction and the State Board of Education; providing the requirements for the issuance of said certificates; fixing the types of certificates; providing for the renewal and extension of certificates; repealing all laws or parts of laws in conflict with the provisions of this Act; providing that if any Section of this Act is held unconstitutional it shall not affect the other Sections hereof, and declaring an emergency."

Referred to the Committee on Education.



By Mr. McDonald, Mr. Keith, Mr. McFarland, Mr. Davis of Jasper, Mr. Bridgers and Mr. Wright:

H. B. No. 753, A bill to be entitled "An Act abolishing the office of Commissioner of Agriculture and Department of Agriculture; transferring all powers, duties, and authorities heretofore imposed by law in Commission of Agriculture and Department of Agriculture to Board of Directors of Agricultural and Mechanical College of Texas; providing, however, that all rights and duties heretofore vested in the Commissioner of Agriculture and Department of Agriculture pertaining to the administration and enforcement of the provision of the law relating to weights and measures shall be transferred to the Comptroller of Public Accounts; transferring of membership on all Boards and Commissions now held by Commissioner of Agriculture to President of Board of Directors of Agricultural and Mechanical College; transferring all appropriations for the remainder of the fiscal year January 1, 1941 to August 31, 1941, heretofore made to Department of Agriculture to the Agricultural and Mechanical College to be expended as provided in General Appropriation Bill, Regular Session, Forty-sixth Legislature, 1939; empowering the Board of Directors of the Agricultural and Mechanical College of Texas to formulate such rules and regulations as may be necessary to carry out the provisions of law relating to agriculture; requiring the Board of Directors to make a biennial report to the Governor of Texas; providing for the repeal of all existing statutory provisions and existing laws in conflict with this Act; providing for the retention of all laws relating to agriculture not in conflict herewith, and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Bond:

H. B. No. 754, A bill to be entitled "An Act amending Section 11 of Senate Bill No. 146, page 444, Chapter 181, of the Regular Session of the Forty-fourth Legislature, as amended by House Bill No. 774, Chapter 373, page 772, Acts of Forty-fourth Legislature, by inserting a new Section following Section 11 to be known as Section 11-A, providing bonds for

Highway Motor Patrolmen and Rangers in the employ of Department of Public Safety providing the amount of bonds, provide for registration of said bonds, provide to whom payable, repealing all laws and parts of laws in conflict, and declaring an emergency."

Referred to the Committee on Highways and Motor Traffic.

By Mr. Dickison:

H. B. No. 755, A bill to be entitled "An Act amending Article 5139, of the Revised Civil Statutes of Texas, 1925, as amended, providing for the creation of a County Juvenile Board in any county having a population of one hundred thousand (100,000) or over, according to the last preceding Federal Census, providing for the compensation of members of such Juvenile Board, and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Hartzog and Mr. Celaya:

H. B. No. 756, A bill to be entitled "An Act requiring licenses for the operation, maintenance, opening or establishment of loan offices in this State, prescribing the license and filing fees to be paid therefor, and the disposition thereof, providing for certain exceptions, and fixing the powers and duties of the Comptroller of Public Accounts in connection therewith; making an appropriation; providing that this Act shall apply to every person, agent, receiver, trustee, firm, corporation, copartnership, operating company, supervising company, auditing company, or association, either domestic or foreign, which is controlled or held with others by majority stock ownership or ultimately controlled or directed by one management or association of ultimate management; defining loan offices; defining certain violations to be offenses; prescribing penalties for the violation thereof; providing if any part of this Act is declared unconstitutional or invalid, it shall not affect the validity of the remainder of the Act, and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Celaya:

H. B. No. 757, A bill to be entitled "An Act requiring every corporation,

other than banks chartered under the laws of Texas or of the United States, engaged, in this State, in the business of accumulating and lending money, purchasing, selling, and dealing in notes, bonds, securities, and contracts having a money value, to carry on deposit in banks located within the State of Texas not less than eighty (80%) per cent of its operating funds used in its Texas business, requiring such corporation to file with the Board of Insurance Commissioners monthly statements under oath of its President, Secretary or Treasurer, prescribing the penalty and punishment for failure to make such reports on the part of such corporation and its officers, making this Act cumulative, and declaring an emergency."

Referred to the Committee on Banks and Banking.

By Mr. Reaves:

H. B. No. 758, A bill to be entitled "An Act authorizing counties to establish and operate sewing rooms, and to provide for the improvement of public records; authorizing Commissioners' Courts of counties to make contracts for the purposes of discovery of land and improvements escaping taxation, compiling and assembling delinquent taxes and ownership record, the elimination of double assessments and elimination or reduction of unknown ownerships and compiling of data pertaining to the value of taxable property for use by the Tax Assessor and Board of Equalization; providing that this Act shall apply only in instances where an agency of the United States Government or the State of Texas agrees to contribute a portion of the necessary money or labor; authorizing counties to issue general fund interest bearing time warrants to evidence their indebtedness under such contracts making it the duty of the Commissioners' Court of such county to levy and collect taxes at the rate of three (3c) cents on the One Hundred (\$100.00) Dollars assessed valuation or so much thereof as may be necessary; imposing the same duties with reference to the levy, assessment and collection of taxes as are imposed by Chapters 1 and 2 of Title 22 of the Revised Civil Statutes of 1925 to assure payment of all bonds; providing that if said three (3c) cents is insufficient it shall be the duty of

the Court to levy an additional tax if such can be made without causing a deficit in the current operating fund of the county; providing that this Act shall not revoke any authority now existing in counties to make contracts for the purposes herein authorized or to repeal any existing law and that this Act shall be cumulative, and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Langdon, Mr. Russell and Mr. Baker of Grayson:

H. B. No. 759, A bill to be entitled "An Act to amend the subject matter embraced in Chapter 482, Acts of the Forty-fourth Legislature, Third Called Session, as amended, by adding thereto three (3) new Sections to be known as Section 19-C, Section 19-D, and Section 19-E, providing for the elimination of certain wages from determination of eligibility for benefits; providing for the transfer of a portion of the Unemployment Compensation Fund to the Railroad Unemployment Insurance Account; providing for the furnishing of certain records to the Railroad Retirement Board, and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Cockrell and Mr. Burney:

H. B. No. 760, A bill to be entitled "An Act providing for an Old Age Burial Fund; providing for the manner and amount of payment, and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Daniel:

H. B. No. 761, A bill to be entitled "An Act amending Chapter 5, Title 50, Article 2956, of the Revised Statutes of 1925 to simplify the procedure of absentee voting; eliminating the necessity of an affidavit, enclosing poll tax receipts, doctor certificate and cost of postage; repealing all laws in conflict, and declaring an emergency."

Referred to the Committee on Privileges, Suffrage and Elections.

By Mr. Daniel:

H. B. No. 762, A bill to be entitled "An Act providing that all members of the Texas University School of

Law Faculty shall be required to pass the State bar exam; and giving the present members of the faculty one year within which to qualify; repealing all laws and conflicts, and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Daniel:

H. B. No. 763, A bill to be entitled "An Act amending Article 2978 of Chapter 6, Title 50 of the Revised Civil Statutes so as to provide the order in which the officers and candidates for office shall appear on the official ballots, making such order uniform; repealing all laws in conflict, and declaring an emergency."

Referred to the Committee on Privileges, Suffrage and Elections.

By Mr. Daniel:

H. B. No. 764, A bill to be entitled "An Act amending Articles 3022 and 3022A of Chapter 8, Title 50 of the Revised Civil Statutes, so as to add a provision and change the present statute so that the count at elections may be announced by the Judge at various times during election day; repealing all laws in conflict, and declaring an emergency."

Referred to the Committee on Privileges, Suffrage and Elections.

By Mr. Hardeman:

H. B. No. 765, A bill to be entitled "An Act amending Article 2940, Chapter 3, Title 50 of the Revised Civil Statutes of 1925 so as to provide that no one shall act as Chairman or as member of any District, County or City Executive Committee, who has not paid his poll tax, or who holds any office of profit or trust in either the United States or this State, or in any city or town in this State; omitting the State or National Executive Committees; repealing all laws in conflict, and declaring an emergency."

Referred to the Committee on Privileges, Suffrage and Elections.

By Mr. Dwyer:

H. B. No. 766, A bill to be entitled "An Act making it an offense for any motor transportation company, its agents or employees transporting passengers for hire to sell a seat in said motor transportation vehicle beyond the seating capacity of said motor

bus or vehicle; prescribing penalties therefor, and declaring an emergency."

Referred to the Committee on Common Carriers.

By Mr. Smith of Frio:

H. B. No. 767, A bill to be entitled "An Act amending Article 2956 of the Revised Civil Statutes of 1925 as amended by Acts of the Forty-second Legislature, 1931, page 180, Chapter 105, as amended by Acts of the Forty-third Legislature, 1933, Regular Session, page 5, Chapter 4, as amended by Acts of the Forty-fourth Legislature, 1935, page 700, Chapter 300, Section 1, as amended by Acts of the Forty-fourth Legislature, Second Called Session, 1935, page 1700, Chapter 437, Section 1, and declaring an emergency."

Referred to the Committee on Privileges, Suffrage and Elections.

By Mr. Hardeman:

H. B. No. 768, A bill to be entitled "An Act regulating Bills of Exception in civil suits or actions; providing the basis of Bills of Exception, that it shall not be necessary for an objector to formally except to a ruling; that error may be based upon the ruling itself; repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Robinson and Mr. Thornton:

H. B. No. 769, A bill to be entitled "An Act to amend Article 326 of the Penal Code of the State of Texas, and declaring an emergency."

Referred to the Committee on Criminal Jurisprudence.

By Mr. Derden, Mr. Roach, Mr. Harper, Mr. Harris, Mr. Alsup, Mr. Johnson of Ellis, Mr. Leyendecker, Mr. Cleveland and Mr. Wright:

H. B. No. 770, A bill to be entitled "An Act to amend Article 7009 of the Revised Civil Statutes of Texas of 1925, as amended by Chapter 131 of the General and Special Laws of the Regular Session of the Forty-fifth Legislature, by abolishing the Live Stock Sanitary Commission of Texas; creating the Bureau of Live Stock Sanitation; transferring all of the powers and duties of the Live Stock

Sanitary Commission of Texas to the Bureau of Live Stock Sanitation; providing for the appointment of a State veterinarian, fixing his salary and providing his qualifications; providing for the merger of the Bureau of Live Stock Sanitation with the State Department of Agriculture; transferring any unexpended funds of the Live Stock Sanitary Commission to the Bureau of Live Stock Sanitation of the State Department of Agriculture; repealing all laws in conflict herewith, and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Smith of Frio:

H. B. No. 771, A bill to be entitled "An Act repealing Article 1371a of Vernon's Texas Statutes, Centennial Edition, and declaring an emergency."

Referred to the Committee on Live-stock and Stock Raising.

By Mr. Daniel:

H. B. No. 772, A bill to be entitled "An Act providing that no permit shall be granted by the Railroad Commission of Texas to drill a well for oil, gas or other minerals until and unless a certified copy or a certified photostatic copy of the applicant's policy of Workman's Compensation Insurance is filed with the Commission showing that the applicant has insurance covering those laborers who are working on said well; and unless and until such applicant has satisfied the Commission that a Workman's Compensation Insurance Policy is in force and effect; repealing all laws in conflict, and declaring an emergency."

Referred to the Committee on Oil, Gas and Mining.

By Mr. Davis of Upshur:

H. B. No. 773, A bill to be entitled "An Act to levy a tax upon the salaries, fees and commissions received by public officials and employees of this State and any subdivision thereof, and of the counties of this State, and any subdivision thereof, who are exempt from payment of a social security tax upon such salaries, fees and commissions, except where such salaries, fees and commissions amounts to less than One Hundred (\$100.00) Dollars per annum; providing said tax shall not apply to notaries public, public weighers, county surveyors; or to instructors, professors or teachers

in any public institute or school of education in this State when such salaries, fees and commissions do not exceed the sum of Five Thousand (\$5,000.00) Dollars per annum; exempting fees, commissions or payments received by Justices of Peace for performing marriage ceremonies, and for acting as local Registrar for the Bureau of Vital Statistics and acting as Ex Officio Notary Public; that rewards received by sheriffs or constables for apprehension of criminals, fugitives from justice, or for recovery of stolen property shall not be included; providing for making of reports to the Comptroller of Public Accounts, authorizing Comptroller to prescribe forms for such reports and direct time and manner of payment of said tax; providing for penalty and interest of such tax due hereunder as are not paid when due, and authorizing suit in behalf of the State to recover such tax, penalty and interest; providing that no person failing to pay said tax within thirty (30) days after same is due and payable shall be paid by the State of Texas, or any county thereof, any salary, fee or commission as compensation for services rendered by such person as public official or employee until said tax, penalty and interest is paid; allocating one-fourth ( $\frac{1}{4}$ ) revenue derived by virtue of this Act to the Available School Fund, and three-fourths ( $\frac{3}{4}$ ) of said revenue to the Texas Old Age Assistance Fund, Teachers' Retirement Fund, and a fund for the Blind and Crippled Children; providing a saving clause, and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

By Mr. Derden:

H. B. No. 774, A bill to be entitled "An Act amending Article 1257, Revised Penal Code of the State of Texas; amending Article 1189, Revised Penal Code of the State of Texas; amending Article 84, Revised Penal Code of the State of Texas; amending Article 1408, Revised Penal Code of the State of Texas, and declaring an emergency."

Referred to the Committee on Criminal Jurisprudence.

By Mr. Lock, Mr. Ferguson and Mr. Morris:

H. B. No. 775, A bill to be entitled "An Act empowering the State Board

of Education to adopt a multiple list of textbooks for the high school subjects now on the accredited list for which no textbooks are furnished; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Referred to the Committee on Education.

By Mr. Johnson of Tarrant:

H. B. No. 776, A bill to be entitled "An Act to amend Article 545, Section 2, Chapter 9, Revised Civil Statutes of the State of Texas, 1925, and to add a new Article to Article 548 to be hereinafter known as Article 548a; repealing all laws in conflict herewith, and declaring an emergency."

Referred to the Committee on Banks and Banking.

By Mr. Shell:

H. B. No. 777, A bill to be entitled "An Act to amend Article 2688 of the Revised Civil Statutes as amended by Chapter 357, Acts, 1931, Forty-second Legislature as amended by Section 1, Chapter 21, Acts, 1932, Forty-second Legislature, Third Called Session."

Referred to the Committee on Counties.

By Mr. Isaacks, Mr. Hankamer and Mr. Bridgers:

H. B. No. 778, A bill to be entitled "An Act making an appropriation to reimburse growers and producers of cotton for expenses incurred during the years of 1933 through 1937 by reason of the establishment by the State of Texas of regulations requiring such growers and producers to pay for fumigation of cotton and sterilization of seed, and also to pay expenses of the Compensation Claim Board in carrying out the provisions of this Act; providing no claim shall be paid from this fund unless same has been allowed by the Compensation Claim Board or by judgment as provided in Chapter 3, Title 4, Revised Civil Statutes of Texas of 1925, and as provided in Chapter 42, Acts of the Regular Session, Forty-first Legislature; providing none of said fund shall be used to reimburse anyone for land not planted to cotton by order of the Pink Bollworm Commission creating a non-cotton zone; providing that the certificate of the Chairman of the Board, approved by the State

Commissioner of Agriculture shall be sufficient evidence to the Comptroller from which he shall audit the claims of persons, firms and corporations and members of the Compensation Claim Board for the issuance of warrants to cover the respective amounts; providing if any part of this Act is declared unconstitutional or invalid it shall not affect the validity of the remainder; providing no money herein appropriated shall be paid for commissions or fees to any person for securing passage of this bill; providing if money herein appropriated is insufficient to pay the claims of all growers and producers in full, then it shall be prorated, and declaring an emergency."

Referred to the Committee on Appropriations.

By Mr. Isaacks:

H. B. No. 779, A bill to be entitled "An Act to amend Article 2234, Chapter 10, Title 12 of the Revised Statutes of Texas."

Referred to the Committee on Judiciary.

By Mr. Hull:

H. B. No. 780, A bill to be entitled "An Act making an appropriation to pay the expenses of the Confederate Reunion to be held in Texas in 1940; providing how such moneys shall be paid, and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Hull:

H. B. No. 781, A bill to be entitled "An Act authorizing the Commissioners Courts in certain counties to appoint an Inventory Agent; describing his duties; providing for bond for such Agent and salary of such Agent, and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Reader of Erath and Mr. Cockrell:

H. B. No. 782, A bill to be entitled "An Act providing for the destruction of rattlesnakes, jack rabbits, and crows, and fixing a bounty of ten cents (10c) per head for their destruction; directing the County Clerks to pay such bounty and to draw on the Live Stock and Sanitary Fund for reimbursement, and declaring an emergency."

Referred to the Committee on Game and Fisheries.

By Mr. Westbrook:

H. B. No. 783, A bill to be entitled "An Act amending Section 1 of House Bill No. 186, same being Chapter 10, of the Special Laws of the Forty-third Legislature, Regular Session, by declaring the closed season on deer in San Augustine and Sabine Counties for a period of five years from the effective date of this Act and after its passage, and declaring an emergency."

Referred to the Committee on Game and Fisheries.

By Mr. Gilmer:

H. B. No. 784, A bill to be entitled "An Act creating a Conservation and Reclamation District composed of Kerr County, to be known as the Upper Guadalupe River Authority, pursuant to and for the purposes set forth in Section 59-a of Article 16, of the Constitution of the State of Texas, and to be a governmental agency, body politic and corporate without power to mortgage or encumber any of its property, or to alienate any property necessary to its business, or to levy taxes or assessments or to create any indebtedness payable out of taxes or assessments, or to pledge the credit of the State, fixing boundaries thereof, conferring thereon all powers, rights, privileges and functions conferred by General Law upon districts created pursuant to said Section 59-a, except as expressly limited; conferring certain powers thereon, including power of control, storage, preservation, use and distribution of the waters of the Guadalupe River and its tributaries; to acquire property by condemnation or otherwise; to construct, maintain, use and operate facilities, to make contracts, to borrow money; to create and issue its negotiable revenue bonds for cash, property or refunding purposes on stated terms and conditions, and in connection therewith to pledge all or any part of its revenues, vesting the powers of the District in a Board of Directors and prescribing the manner of their appointment and their duties; providing for the appointment of officers, agents and employees; providing for the fiscal management of the District; preserving existing water rights to the extent provided; prescribing all necessary details to carry out the intent and purpose of this Act; making an appropriation of Seven Thousand, Five Hundred

(\$7,500.00) Dollars to the District; providing that if any provisions of this Act shall be held invalid, the validity of the other provisions thereof shall not be affected, and declaring an emergency."

Referred to the Committee on Conservation and Reclamation.

By Mr. Bray:

H. B. No. 785, A bill to be entitled "An Act amending Article 2232, Revised Civil Statutes of Texas, 1925."

Referred to the Committee on Judiciary.

By Mr. Reader of Erath:

H. B. No. 786, A bill to be entitled "An Act to fix the salaries of the judges of the various District Courts including special judges of the Court of Civil Appeals, Court of Criminal Appeals, Commission of Appeals, Members of the Supreme Court, Chief Clerk of the Court of Civil Appeals, and Court of Criminal Appeals repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Celaya:

H. B. No. 787, A bill to be entitled "An Act defining the term 'Obscene publication;' prohibiting the sale of any obscene publication; providing a penalty for violation, and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Baker of Grayson, Mr. Kersey, Mr. McMurry, Mr. Harrell of Lamar, Mr. Clark, Mr. Morris, Mr. Loggins, Mr. Pevehouse, Mr. Fielden, Mr. Johnson of Ellis, Mr. Smith of Hopkins, Mr. Vint, Mr. Segrist, Mr. Rhodes, Mr. Bailey, Mr. Kern, Mr. Weldon, Mr. Oliver, Mr. Westbrook, Mr. Hardin, Mr. Kinard, Mr. Faulkner, Mr. Burney, Mr. Galbreath, Mr. McDaniel, Mr. Harp, Mr. Cockrell, Mr. Bradbury, Mr. Celaya, Mr. Chambers, Mr. Wood, Mr. King, Mr. Broadfoot, Mr. Cleveland, Mr. Dwyer, Mr. Roach, Mr. Spencer, Mr. Newell, Mr. Ragsdale, Mr. Turner, Mr. Alsup and Mr. Harrell of Bastrop:

H. B. No. 788, A bill to be entitled "An Act amending Article 306, Title 14, of the Revised Civil Statutes of the State of Texas; fixing academic

requirements for applicants for Bar Examination; providing fees to be paid by such applicants; requiring applicants to furnish certificates supporting his character and deportment; and setting forth who shall sign such certificate; providing when and how applicants are qualified for examination; fixing minimum and maximum average grades to authorize issuance of license; providing for forfeiture of grade by applicant; providing for certain limitation for applicant to take examination; making certain exemptions and exceptions to apply to certain individuals; repealing all Acts in conflict herewith, and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Johnson of Tarrant:

H. B. No. 789, A bill to be entitled "An Act creating a lien upon the recovery to guarantee to an attorney at law the payment of his fees in cases prosecuted on a contingent basis; authorizing contracts by attorneys for not to exceed fifty per cent of recovery for services, rendered or to be rendered; providing for the enforcement of such lien and contract; providing that this Act shall not affect any other Act specifically fixing attorney's fees for particular cases; repealing all other laws and parts of laws in conflict herewith, and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Pope:

H. B. No. 790, A bill to be entitled "An Act to prohibit bucket shops, to define 'bucket shops,' to define 'hedge contracts,' to define 'futures,' 'dealing in futures,' and 'future contracts,' to prohibit the making of future contracts, except as herein provided; to prohibit renting property to be used for carrying on bucket shops, or knowingly permitting the same to be so used; to prohibit any one from acting as the agent or broker or any other person in making any future contract; to prohibit any person from making any future contract for himself; to prohibit telegraph or telephone companies from allowing their wires or instruments to be used by or remain in any bucket shop; to prescribe penalties for the violation of this Act; to provide for procedure in the trial of causes arising under this

Act, and to exempt from prosecution persons testifying as to violations of this Act; providing for certain penalty taxes; providing for constitutional saving clause, permitting exchanges not violation hereof, and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Wood and Mr. Tennant:

H. B. No. 791, A bill to be entitled "An Act making it unlawful to take or kill by trap, snare, or deadfall any fur-bearing animals in the Counties of Harrison and Gregg; providing certain exceptions; providing the length of this Act; prescribing a penalty, and declaring an emergency."

Referred to the Committee on Game and Fisheries.

By Mr. Felty:

H. B. No. 792, A bill to be entitled "An Act to amend Article 6053 of the Revised Civil Statutes of Texas of 1925 by providing regulations for the design, installation, construction and operation of containers and pertinent equipment for the storage, handling and transportation of butane or liquefied petroleum gases, empowering the Railroad Commission to alter and amend such regulations; providing that persons, firms and corporations engaged in the manufacture and/or assembly, sale or installation of liquefied gas storage and dispensing apparatus, and/or handling and/or transporting liquefied petroleum gas must have a license and must file with the Railroad Commission of Texas a bond protecting the public from injuries or loss arising from a violation of this Act; providing for filing an additional bond and/or additional security upon order of the Railroad Commission; providing for hearings on matters relating to the subject of this Act and on complaints filed against licensees hereunder; providing for attendance of witnesses at such hearings and rules for conducting the same; providing for appeals from the decision of the Railroad Commission; providing that funds derived from fees shall be used for the administration and enforcement of this Act and that any excess remaining shall go to the General Fund; providing for the giving of notice to utilities and licensees by the Commission of the proposed



rules and regulations to be adopted and promulgated and the filing of written exceptions and objections by parties affected by such rules and regulations; providing that if any clause, provision, section or part of this Act shall be adjudged invalid, the remainder of this Act shall not be affected thereby, and declaring an emergency."

Referred to the Committee on Oil, Gas and Mining.

#### RELATIVE TO HOUSE BILL NO. 394

Mr. Dean moved that House Bill No. 394 be withdrawn from the Committee on Education, and referred to the Committee on Highways and Motor Traffic.

The motion was lost.

#### BILLS RE-REFERRED

Mr. Cornett moved that House Bill No. 125 be withdrawn from the Committee on State Affairs, and referred to the Committee on Federal Relations.

The motion prevailed.

Mr. Thornton moved that House Bill No. 723 be withdrawn from the Committee on Appropriations, and referred to the Committee on Claims and Accounts.

The motion prevailed.

#### BILLS ORDERED NOT PRINTED

On motion of Mr. Bray, House Bill No. 263 was ordered not printed.

On motion of Mr. Skiles, House Bill No. 631 was ordered not printed.

On motion of Mr. Holland, House Bill No. 648 was ordered not printed.

#### HOUSE BILL NO. 30 WITH SEN- ATE AMENDMENTS

Mr. Bell called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 30, A bill to be entitled "An Act amending Chapter 10, Special Laws, Forty-fourth Legislature, enacted in the year A. D., 1935, and declaring an emergency."

The Chair laid the bill before the House, with the Senate amendments.

Mr. Bell moved that the House do not concur in the Senate amendments,

and that a Conference Committee be requested to adjust the differences between the two Houses on the bill.

The motion prevailed.

In accordance with the above action, the Chair announced the appointment of the following Conference Committee on House Bill No. 30: Messrs. Petsch, Bell, King, Mohrmann and Cockrell.

#### MESSAGE FROM THE SENATE

Austin, Texas, February 24, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

S. C. R. No. 6, Authorizing Mrs. R. R. Jones to sue the State.

S. B. No. 20, A bill to be entitled "An Act amending Chapter 212, Section 25 of the General Laws of the Regular Session of the Fortieth Legislature, 1927, and amended by Chapter 229, Regular Session of the Forty-first Legislature, 1929, relating to overtime to be allowed prisoners in the Texas Penitentiary, providing that the General Manager shall have the authority to designate the overtime rates for special work, defining what constitutes a day in overtime work and fixing the date when this Act shall become effective, and declaring an emergency."

S. B. No. 95, A bill to be entitled "An Act to amend Article 1302, Title 32, of the Revised Civil Statutes of Texas, of 1925, by adding another subdivision thereto authorizing private corporations to be created for the purpose of manufacturing, buying and selling of lumber and building materials and the construction of buildings and improvements, and declaring an emergency."

S. B. No. 170, A bill to be entitled "An Act creating a lien upon the recovery to guarantee to an attorney at law the payment of his fees in cases prosecuted on a contingent basis; authorizing contracts by attorneys for not to exceed fifty (50%) per cent of recovery for services rendered or to be rendered; providing for the enforcement of such lien and contract; providing that this Act shall not affect any other Act specifically fixing attorney's fees for particular cases; repealing all other laws and



parts of laws in conflict herewith, and declaring an emergency."

S. B. No. 185, A bill to be entitled "An Act to extend to August 31, 1939, all provisions relative to the expenditure of funds already collected under the provisions of Senate Bill No. 47, Acts, 1937, Forty-fifth Legislature, and declaring an emergency."

S. B. No. 188, A bill to be entitled "An Act to authorize the State Treasurer and the State Comptroller to transfer certain moneys from the General Fund, etc."

Respectfully,

BOB BARKER,

Secretary of the Senate.

# HOUSE BILL NO. 92 ON FINAL PASSAGE

Mr. Daniel moved to reconsider the vote by which the House, on yesterday, postponed further consideration of House Bill No. 92 until March 27, 1939.

Mr. Wood moved to table the motion to reconsider.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

## Yeas—45

Allen	Lehman
Allison	McFarland
Alsup	Mohrmann
Bailey	Morris
Baker	Nicholson
of Fort Bend	Olsen
Baker of Grayson	Petsch
Boyd	Pevehouse
Bradbury	Ragsdale
Bridgers	Roach
Brown of Cherokee	Roberts
Brown	Skiles
of Nacogdoches	Smith of Hopkins
Chambers	Smith
Colson, Mrs.	of Matagorda
Davis of Jasper	Stoll
Dickson	Tennant
Dowell	Thornberry
Faulkner	Voigt
Fuchs	Waggoner
Goodman	Weldon
Keith	Westbrook
Kern	Wood
Kersey	Worley

## Nays—84

Bell	Bond
Blankenship	Boyer

Bradford	Johnson of Tarrant
Bray	Kennedy
Broadfoot	Kerr
Bundy	Kinard
Burkett	King
Burney	Langdon
Cauthorn	Leyendecker
Celaya	Little
Clark	Lock
Cleveland	Loggins
Cockrell	London
Coleman	Mays
Colquitt	McAlister
Cornett	McDaniel
Daniel	McMurry
Davis of Upshur	McNamara
Dean	Monkhouse
Derden	Montgomery
Donaghey	Newell
Dwyer	Piner
Felty	Pope
Ferguson	Reader of Bexar
Fielden	Reader of Erath
Galbreath	Reaves
Gilmer	Reed
Gordon, Mrs.	Rhodes
Hale	Riviere
Hamilton	Schuenemann
Hankamer	Segrist
Hardeman	Shell
Hardin	Smith of Frio
Harp	Spencer
Harris	Stinson
Holland	Taylor
Howard	Thornton
Howington	Vale
Hull	Wells
Hunt	White
Isaacks	Wilson
Johnson of Ellis	Wright

## Present—Not Voting

McDonald

## Absent

Anderson	Heflin
Corry	Oliver
Crossley	Russell
Dickison	Tarwater
Harper	Turner
Harrell of Lamar	Vint
Hartzog	

## Absent—Excused

Harrell of Bastrop	Talbert
Pace	Winfree
Robinson	

Question then recurring on the motion by Mr. Daniel, yeas and nays were demanded.

The motion to reconsider prevailed by the following vote:

## Yeas—86

Allison	Isaacks
Anderson	Johnson of Ellis
Bell	Johnson of Tarrant
Blankenship	Kennedy
Bond	Kinard
Boyer	King
Bradbury	Langdon
Bradford	Leyendecker
Bray	Little
Broadfoot	Lock
Bundy	Loggins
Burkett	London
Burney	Mays
Cauthorn	McAlister
Celaya	McDaniel
Clark	McMurry
Cleveland	McNamara
Cockrell	Monkhouse
Coleman	Montgomery
Cornett	Newell
Daniel	Piner
Davis of Upshur	Pope
Derden	Ragsdale
Dickison	Reader of Bexar
Donaghey	Reader of Erath
Dwyer	Reed
Felty	Rhodes
Ferguson	Riviere
Fielden	Roberts
Gilmer	Russell
Gordon, Mrs.	Schuenemann
Hale	Segrist
Hamilton	Shell
Hankamer	Smith of Frio
Hardeman	Spencer
Hardin	Stinson
Harp	Taylor
Harper	Thornton
Harris	Vale
Holland	Wells
Howard	White
Howington	Wilson
Hull	Wright

## Nays—39

Allen	Dickson
Alsup	Faulkner
Bailey	Fuchs
Baker	Galbreath
of Fort Bend	Hunt
Baker of Grayson	Keith
Boyd	Kern
Brown of Cherokee	Kerr
Brown	Lehman
of Nacogdoches	McFarland
Chambers	Mohrmann
Colquitt	Morris
Colson, Mrs.	Nicholson
Davis of Jasper	Olsen

Petsch	Thornberry
Pevehouse	Voigt
Roach	Waggoner
Skiles	Weldon
Smith of Hopkins	Wood
Stoll	Worley
Tennant	

## Present—Not Voting

Dowell	Reaves
McDonald	

## Absent

Bridgers	Kersey
Corry	Oliver
Crossley	Smith
Dean	of Matagorda
Goodman	Tarwater
Harrell of Lamar	Turner
Hartzog	Vint
Heflin	Westbrook

## Absent—Excused

Harrell of Bastrop	Talbert
Pace	Winfree
Robinson	

Question—Shall further consideration of House Bill No. 92 be postponed until March 27, 1939?

Mr. Blankenship moved to table the motion to postpone the bill.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

## Yeas—83

Allison	Ferguson
Bell	Fielden
Blankenship	Gilmer
Bond	Gordon, Mrs.
Boyer	Hamilton
Bradbury	Hankamer
Bradford	Hardin
Bray	Harp
Broadfoot	Harrell of Lamar
Bundy	Harris
Burkett	Hartzog
Burney	Heflin
Cauthorn	Holland
Chambers	Howard
Clark	Howington
Cleveland	Hull
Cockrell	Hunt
Daniel	Isaacks
Davis of Upshur	Johnson of Ellis
Derden	Johnson of Tarrant
Dickison	King
Donaghey	Langdon
Dwyer	Leyendecker
Felty	Little

Lock	Riviere
Loggins	Roberts
London	Schuenemann
Mays	Segrist
McAlister	Shell
McDaniel	Smith of Frio
McMurry	Spencer
McNamara	Stinson
Monkhouse	Tarwater
Montgomery	Taylor
Newell	Thornton
Pevehouse	Turner
Pope	Vale
Ragsdale	Wells
Reader of Bexar	White
Reader of Erath	Wilson
Reed	Wright
Rhodes	

## Nays—44

Allen	Lehman
Alsup	McFarland
Bailey	Mohrmann
Baker	Morris
of Fort Bend	Nicholson
Baker of Grayson	Olsen
Boyd	Petsch
Bridgers	Piner
Brown of Cherokee	Reaves
Brown	Roach
of Nacogdoches	Russell
Colquitt	Skiles
Colson, Mrs.	Smith of Hopkins
Cornett	Smith
Davis of Jasper	of Matagorda
Dickson	Stoll
Faulkner	Tennant
Fuchs	Thornberry
Galbreath	Voigt
Hale	Waggoner
Keith	Weldon
Kennedy	Wood
Kern	Worley
Kerr	

## Present—Not Voting

McDonald

## Absent

Anderson	Hardeman
Celaya	Harper
Coleman	Kersey
Corry	Kinard
Crossley	Oliver
Dean	Vint
Dowell	Westbrook
Goodman	

## Absent—Excused

Harrell of Bastrop	Talbert
Pace	Winfree
Robinson	

Mr. Wood offered the following amendment to the bill:

Amend House Bill No. 92, by adding a new Section following Section 3, to be known as Section 3a, to read as follows:

"The provisions of this Act shall not be mandatory but shall be left to the discretion of the Board of Directors of the Agricultural and Mechanical College of Texas, who shall have the authority to investigate the need for such institutions."

Mr. Alsup raised a point of order, on consideration of the amendment, at this time, on the ground that the House, on yesterday, defeated an identical amendment.

The Chair sustained the point of order.

Mr. Roach offered the following amendment to the bill:

Amend House Bill No. 92, by adding:

"Section 4a. No expenses for operation of John Tarleton College, and the North Texas Agricultural College on and above the amount necessary to operate junior colleges on the normal unit basis shall ever be levied upon the State of Texas."

Question recurring on the amendment by Mr. Roach, yeas and nays were demanded.

The amendment was lost by the following vote:

## Yeas—59

Allen	Ferguson
Alsup	Galbreath
Bailey	Hale
Baker	Hardin
of Fort Bend	Hunt
Baker of Grayson	Keith
Boyd	Kennedy
Bradbury	Kern
Bridgers	Kerr
Brown of Cherokee	Lehman
Bundy	Leyendecker
Burkett	McFarland
Chambers	McMurry
Clark	Mohrmann
Colquitt	Morris
Colson, Mrs.	Nicholson
Cornett	Olsen
Crossley	Petsch
Davis of Jasper	Piner
Davis of Upshur	Reaves
Dickson	Roach
Dowell	Roberts
Faulkner	Skiles

Smith of Hopkins	Turner
Smith	Vint
of Matagorda	Voigt
Spencer	Waggoner
Stoll	Westbrook
Tennant	Wood
Thornberry	Worley
Thornton	

## Nays—74

Allison	Hull
Bell	Isaacks
Blankenship	Johnson of Ellis
Bond	Johnson of Tarrant
Boyer	King
Bradford	Langdon
Bray	Little
Broadfoot	Lock
Burney	Loggins
Cauthorn	London
Celaya	Mays
Cleveland	McAlister
Cockrell	McDaniel
Coleman	McNamara
Corry	Monkhouse
Daniel	Montgomery
Dean	Newell
Derden	Pevehouse
Dickison	Pope
Donaghey	Reader of Bexar
Dwyer	Reader of Erath
Felty	Reed
Fuchs	Rhodes
Gilmer	Riviere
Goodman	Russell
Gordon, Mrs.	Segrist
Hamilton	Shell
Hankamer	Smith of Frio
Hardeman	Stinson
Harp	Tarwater
Harrell of Lamar	Taylor
Harris	Vale
Hartzog	Weldon
Heflin	Wells
Holland	White
Howard	Wilson
Howington	Wright

## Present—Not Voting

McDonald

## Absent

Anderson	Kersey
Brown	Kinard
of Nacogdoches	Oliver
Fielden	Ragsdale
Harper	Schuenemann

## Absent—Excused

Harrell of Bastrop	Talbert
Pace	Winfree
Robinson	

(Pending consideration of House Bill No. 92, Mr. Harris occupied the Chair, temporarily.)

(Mr. Leonard in the Chair.)

Mr. Reader of Bexar moved the previous question, on the final passage of House Bill No. 92, and the motion was duly seconded.

Question recurring on the motion for the main question, yeas and nays were demanded.

The motion prevailed by the following vote:

## Yeas—69

Allison	Johnson of Tarrant
Anderson	Kinard
Blankenship	King
Boyer	Leyendecker
Bradford	Lock
Broadfoot	London
Bundy	Mays
Burney	McAlister
Celaya	McDaniel
Cleveland	McMurry
Cockrell	McNamara
Coleman	Monkhouse
Cornett	Montgomery
Corry	Petsch
Crossley	Pevehouse
Daniel	Piner
Dean	Ragsdale
Derden	Reader of Bexar
Dickison	Reader of Erath
Dowell	Rhodes
Dwyer	Riviere
Felty	Schuenemann
Ferguson	Segrist
Hamilton	Shell
Hankamer	Smith of Frio
Hardeman	Smith
Hardin	of Matagorda
Harp	Stinson
Hartzog	Tarwater
Heflin	Turner
Holland	Vale
Howington	Wells
Hull	White
Isaacks	Wilson
Johnson of Ellis	Wright

## Nays—63

Allen	Brown
Alsup	of Nacogdoches
Bailey	Burkett
Baker	Cauthorn
of Fort Bend	Chambers
Baker of Grayson	Clark
Bell	Colquitt
Boyd	Colson, Mrs.
Bradbury	Davis of Jasper
Brown of Cherokee	Davis of Upshur

Dickson	Nicholson
Donaghey	Olsen
Faulkner	Reaves
Fielden	Reed
Fuchs	Roach
Galbreath	Roberts
Gilmer	Russell
Hale	Skiles
Harper	Smith of Hopkins
Harris	Spencer
Howard	Stoll
Hunt	Taylor
Keith	Tennant
Kennedy	Thornberry
Kern	Thornton
Kerr	Vint
Langdon	Voigt
Lehman	Waggoner
Loggins	Weldon
McFarland	Westbrook
Mohrmann	Wood
Morris	Worley
Newell	

Present—Not Voting

McDonald

Absent

Bond	Harrell of Lamar
Bray	Kersey
Bridgers	Little
Goodman	Oliver
Gordon, Mrs.	Pope

Absent—Excused

Harrell of Bastrop	Talbert
Pace	Winfree
Robinson	

Question then recurring on the final passage of House Bill No. 92, yeas and nays were demanded.

House Bill No. 92 was then passed by the following vote:

Yeas—71

Allison	Derden
Blankenship	Dickson
Bond	Dwyer
Boyer	Felty
Bradford	Ferguson
Broadfoot	Fielden
Bundy	Gordon, Mrs.
Burney	Hamilton
Celaya	Hankamer
Clark	Hardin
Cleveland	Harp
Cockrell	Harrell of Lamar
Coleman	Harris
Corry	Hartzog
Daniel	Holland
Dean	Howard

Howington	Reader of Bexar
Hull	Reader of Erath
Isaacks	Reed
Johnson of Ellis	Rhodes
Johnson of Tarrant	Riviere
King	Russell
Langdon	Schuenemann
Lock	Segrist
Loggins	Shell
London	Smith of Frio
Mays	Stinson
McAlister	Tarwater
McDaniel	Taylor
McNamara	Vale
Monkhouse	Weldon
Montgomery	Wells
Newell	White
Pevehouse	Wilson
Pope	Wright
Ragsdale	

Nays—65

Allen	Keith
Alsup	Kennedy
Bailey	Kern
Baker	Kerr
of Fort Bend	Kinard
Baker of Grayson	Lehman
Boyd	Leyendecker
Bradbury	McDonald
Bray	McMurry
Bridgers	Mohrmann
Brown of Cherokee	Morris
Brown	Nicholson
of Nacogdoches	Olsen
Burkett	Petsch
Cauthorn	Piner
Chambers	Reaves
Colquitt	Roach
Colson, Mrs.	Roberts
Cornett	Skiles
Crossley	Smith of Hopkins
Davis of Jasper	Smith
Davis of Upshur	of Matagorda
Dickson	Spencer
Donaghey	Stoll
Dowell	Tennant
Faulkner	Thornberry
Fuchs	Thornton
Galbreath	Turner
Gilmer	Vint
Hale	Voigt
Hardeman	Waggoner
Harper	Westbrook
Heflin	Wood
Hunt	Worley

Absent

Anderson	Little
Bell	McFarland
Goodman	Oliver
Kersey	

Absent—Excused

Harrell of Bastrop Talbert  
Pace Winfree  
Robinson

### REASON FOR VOTE

Adequate provision should be made for rural schools before launching upon an extensive college expansion program.

SPENCER.

Mr. Johnson of Tarrant moved to reconsider the vote by which House Bill No. 92 was passed, and to table the motion to reconsider.

The motion to table prevailed.

### PROVIDING FOR JOINT SESSION TO HEAR ADDRESS BY HON. NATHAN STRAUS

Mr. Thornberry offered the following resolution:

H. C. R. No. 51, Providing for Joint Session to hear Hon. Nathan Straus.

Be It Resolved by the House of Representatives of the State of Texas, the Senate concurring, That the time for the address of the Honorable Nathan Straus on March 1, 1939, pursuant to House Concurrent Resolution No. 33, be fixed for 11:30 o'clock a. m., on that date.

THORNBERRY,  
BOYD.

The resolution was read second time, and was adopted.

### MEMORIALIZING CONGRESS IN REGARD TO PASSAGE OF CERTAIN LEGISLA- TION

Mr. Fuchs offered the following resolution:

H. C. R. No. 50, Memorializing Congress in regard to the passing of certain legislation.

Whereas, Agriculture and allied interests form the basic industry of Texas; and

Whereas, The Dirt Farmers' Congress of Texas recently held a meeting in Austin; and

Whereas, Said Dirt Farmers' Congress functions in Texas in a useful manner and is fostered and promoted by legislative sanction in this State; and

Whereas, Anything detrimental to the Dirt Farmers of Texas and their interests is detrimental to the whole financial and social fabric of this State; and

Whereas, It is currently reported that large amounts of cotton are being smuggled from Mexico through the ports of entry into this State and being shipped from this State as American cotton; and

Whereas, Such cotton when brought in competition with Texas grown cotton tends to depreciate the value of said cotton so grown in Texas and places Texas at a great disadvantage, due to living standards in Mexico; and

Whereas, The Dirt Farmers' Congress of Texas has called attention to this Legislature and has requested that this Legislature take some action to circumvent the practice of bringing Mexico grown cotton into Texas ports; and

Whereas, Such legislation is a peculiar function of the Federal Congress and is one of the reserved powers of Congress, as it deals with commerce between this government and a foreign government; and

Whereas, In pursuance of the request by the Dirt Farmers' Congress of Texas, this Legislature deems it their duty to memorialize the Federal Congress to take such action in the premises as will more effectively curtail and minimize the smuggling of such farm products into this State; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the Legislature, State of Texas, requests the Federal Congress by and through its Senators and Representatives to immediately take steps in the passage of such laws as may be necessary or in the more effective enforcement of the present laws than is being done, to the end that the smuggling of foreign grown cotton into this State end; and be it further

Resolved, That it is the sense of this Legislature that such action be taken immediately and that full cooperation of the Federal Congress be extended in aid of the farmers of this State; and be it further

Resolved, That the Chief Clerk of the House of Representatives mail copies of this resolution to Senators Tom Connally and Morris Sheppard and to each Congressman from Texas

at their addresses in Washington,  
D. C.

FUCHS,  
LEHMAN,  
RHODES,  
RAGSDALE,  
FAULKNER,  
OLSEN,  
REAVES,  
CLEVELAND,  
DOWELL,  
KING,  
TARWATER,  
VINT,  
SEGRIST,  
CORY,  
BAKER of Fort Bend,  
LOGGINS,  
HAMILTON,  
TURNER.

The resolution was read second time.

On motion of Mr. Fuchs, the resolution was referred to the Committee on Agriculture.

#### HOUSE BILLS ON FIRST READING

Mr. Baker of Fort Bend moved to introduce, at this time, and have placed on first reading, House Bill No. 793.

The motion prevailed by the following vote:

Yeas—129

Allen	Coleman
Allison	Colquitt
Alsup	Colson, Mrs.
Anderson	Cornett
Bailey	Corry
Baker of Grayson	Crossley
Bell	Daniel
Blankenship	Davis of Jasper
Bond	Davis of Upshur
Boyd	Dean
Boyer	Derden
Bradbury	Dickison
Bradford	Donaghey
Bray	Dowell
Bridgers	Faulkner
Broadfoot	Felty
Brown of Cherokee	Ferguson
Brown of Nacogdoches	Galbreath
Bundy	Gilmer
Burkett	Goodman
Burney	Gordon, Mrs.
Cauthorn	Hale
Celaya	Hamilton
Chambers	Hankamer
Clark	Hardin
Cleveland	Harper
Cockrell	Harrell of Lamar
	Harris

Hartzog	Pevehouse
Heflin	Pope
Holland	Ragsdale
Howard	Reader of Bexar
Howington	Reader of Erath
Hull	Reaves
Hunt	Reed
Isaacks	Rhodes
Johnson of Ellis	Riviere
Johnson of Tarrant	Roach
Kennedy	Roberts
Kern	Russell
Kerr	Schuenemann
Kinard	Segrist
King	Shell
Langdon	Skiles
Lehman	Smith of Hopkins
Leyendecker	Spencer
Little	Stinson
Lock	Stoll
Loggins	Tarwater
London	Taylor
Mays	Tennant
McAlister	Thornberry
McDaniel	Thornton
McDonald	Turner
McMurry	Vale
McNamara	Vint
Mohrmann	Voigt
Monkhouse	Waggoner
Montgomery	Weldon
Morris	Wells
Newell	White
Nicholson	Wilson
Oliver	Wood
Olsen	Worley
Petsch	Wright

#### Absent

Baker of Fort Bend	Keith
Dickson	Kersey
Dwyer	McFarland
Fielden	Piner
Fuchs	Smith of Frio
Hardeman	Smith of Matagorda
Harp	Westbrook

#### Absent—Excused

Harrell of Bastrop	Talbert
Pace	Winfree
Robinson	

The Chair then laid the bill before the House, it was read first time and referred to the appropriate committee, as follows:

By Mr. Baker of Ft. Bend:

H. B. No. 793, A bill to be entitled "An Act amending Section No. 6 of Article 760 of the 1925 Revised Civil

Statutes of Texas, and declaring an emergency."

Referred to the Committee on Criminal Jurisprudence.

Mr. Blankenship moved to introduce, at this time, and have placed on first reading, House Bill No. 794.

The motion prevailed by the following vote:

Yeas—134

Allen	Gordon, Mrs.
Alsup	Hale
Anderson	Hamilton
Bailey	Hankamer
Baker	Hardeman
of Fort Bend	Hardin
Baker of Grayson	Harp
Bell	Harper
Blankenship	Harrell of Lamar
Bond	Harris
Boyd	Hartzog
Boyer	Heflin
Bradbury	Holland
Bradford	Howard
Bray	Howington
Bridgers	Hull
Brown of Cherokee	Hunt
Brown	Isaacks
of Nacogdoches	Johnson of Ellis
Bundy	Johnson of Tarrant
Burkett	Keith
Burney	Kennedy
Cauthorn	Kern
Celaya	Kerr
Chambers	Kinard
Clark	King
Cleveland	Langdon
Cockrell	Lehman
Coleman	Leyendecker
Colquitt	Little
Colson, Mrs.	Lock
Cornett	London
Corry	Mays
Crossley	McAlister
Daniel	McDaniel
Davis of Jasper	McDonald
Davis of Upshur	McMurry
Dean	McNamara
Derden	Mohrmann
Dickson	Monkhouse
Dickson	Montgomery
Donaghey	Morris
Dowell	Newell
Dwyer	Nicholson
Faulkner	Oliver
Felty	Petsch
Ferguson	Pope
Fielden	Ragsdale
Fuchs	Reader of Bexar
Galbreath	Reader of Erath
Gilmer	Reaves
Goodman	Reed

Rhodes	Taylor
Riviere	Tennant
Roach	Thornberry
Roberts	Thornton
Russell	Turner
Schuenemann	Vale
Segrist	Vint
Shell	Voigt
Skiles	Waggoner
Smith of Frio	Weldon
Smith of Hopkins	Wells
Smith	White
of Matagorda	Wilson
Spencer	Wood
Stinson	Worley
Stoll	Wright
Tarwater	

Present—Not Voting

Broadfoot

Absent

Allison	Olsen
Kersey	Pevehouse
Loggins	Piner
McFarland	Westbrook

Absent—Excused

Harrell of Bastrop	Talbert
Pace	Winfree
Robinson	

The Chair then laid the bill before the House, it was read first time and referred to the appropriate committee, as follows:

By Mr. Blankenship, Mr. Mays and Mr. Alsup:

H. B. No. 794, A bill to be entitled "An Act amending Article 6686, Title 116, of the Revised Civil Statutes of the State of Texas, 1925, as amended, by adding a new paragraph providing for the issuance of in-transit permits by the State Highway Commission to any person, firm or corporation engaged in and using the drive-a-way system of transporting motor vehicles under their own power, and declaring an emergency."

Referred to the Committee on Highways and Motor Traffic.

Mr. Worley moved to introduce, at this time, and have placed on first reading, House Bill No. 795.

The motion prevailed by the following vote:

Yeas—127

Allen	Alsup
Allison	Anderson



Bailey	Kennedy
Baker	Kerr
of Fort Bend	Kinard
Baker of Grayson	King
Bell	Langdon
Blankenship	Lehman
Bond	Leyendecker
Boyd	Little
Boyer	Lock
Bradbury	London
Bradford	Mays
Bray	McAlister
Bridgers	McDaniel
Broadfoot	McDonald
Brown of Cherokee	McMurry
Brown	McNamara
of Nacogdoches	Mohrmann
Bundy	Monkhouse
Burkett	Montgomery
Burney	Morris
Cauthorn	Newell
Chambers	Oliver
Clark	Pevehouse
Cleveland	Piner
Cockrell	Pope
Coleman	Ragsdale
Colquitt	Reader of Bexar
Colson, Mrs.	Reader of Erath
Cornett	Reaves
Corry	Reed
Crossley	Rhodes
Daniel	Riviere
Davis of Upshur	Roach
Dean	Roberts
Derden	Russell
Dickison	Schuenemann
Donaghey	Segrist
Dwyer	Shell
Faulkner	Skiles
Felty	Smith of Frio
Ferguson	Smith of Hopkins
Fielden	Smith
Galbreath	of Matagorda
Gilmer	Spencer
Gordon, Mrs.	Stinson
Hale	Stoll
Hamilton	Tarwater
Hankamer	Taylor
Hardin	Tennant
Harp	Thornberry
Harper	Thornton
Harrell of Lamar	Turner
Hartzog	Vale
Heflin	Vint
Holland	Voigt
Howard	Weldon
Howington	Wells
Hull	Westbrook
Hunt	White
Isaacks	Wilson
Johnson of Ellis	Wood
Johnson of Tarrant	Worley
Keith	Wright

## Nays—1

Nicholson

## Absent

Celaya	Kern
Davis of Jasper	Kersey
Dickson	Loggins
Dowell	McFarland
Fuchs	Olsen
Goodman	Petsch
Hardeman	Waggoner
Harris	

## Absent—Excused

Harrell of Bastrop	Talbert
Pace	Winfree
Robinson	

The Chair then laid the bill before the House, it was read first time and referred to the appropriate committee, as follows:

By Mr. Worley:

H. B. No. 795, A bill to be entitled "An Act making an emergency appropriation to the State Health Department out of the General Fund in the State Treasury, and declaring an emergency."

Referred to the Committee on Appropriations.

Mr. Pope moved to introduce, at this time, and have placed on first reading, House Bill No. 796.

The motion prevailed by the following vote:

## Yeas—121

Allen	Clark
Allison	Cleveland
Alsup	Cockrell
Anderson	Colquitt
Bailey	Colson, Mrs.
Baker	Cornett
of Fort Bend	Corry
Baker of Grayson	Daniel
Bell	Davis of Jasper
Blankenship	Davis of Upshur
Boyd	Derden
Boyer	Dickison
Bradbury	Donaghey
Bradford	Dowell
Bray	Ferguson
Bridgers	Fielden
Broadfoot	Fuchs
Brown of Cherokee	Galbreath
Brown	Gilmer
of Nacogdoches	Goodman
Burney	Gordon, Mrs.
Cauthorn	Hamilton
Celaya	Hankamer
Chambers	Hardeman

Hardin	Petsch
Harp	Pevehouse
Harper	Piner
Harris	Pope
Hartzog	Ragsdale
Heflin	Reader of Bexar
Holland	Reader of Erath
Howard	Reaves
Howington	Reed
Hull	Rhodes
Hunt	Riviere
Isaacks	Roach
Johnson of Ellis	Roberts
Johnson of Tarrant	Russell
Keith	Schuenemann
Kennedy	Shell
Kern	Smith of Frio
Kerr	Smith of Hopkins
Kinard	Smith
King	of Matagorda
Langdon	Spencer
Lehman	Stoll
Leyendecker	Tarwater
Little	Taylor
Lock	Tennant
London	Thornton
Mays	Turner
McAlister	Vale
McDonald	Vint
McMurry	Voigt
McNamara	Waggoner
Mohrmann	Weldon
Monkhouse	Wells
Montgomery	Westbrook
Morris	White
Newell	Wilson
Nicholson	Wood
Oliver	Worley

Nays—1

Thornberry

Present—Not Voting

Skiles

Absent

Bond	Hale
Bundy	Harrell of Lamar
Burkett	Kersey
Coleman	Loggins
Crossley	McDaniel
Dean	McFarland
Dickson	Olsen
Dwyer	Segrist
Faulkner	Stinson
Felty	Wright

Absent—Excused

Harrell of Bastrop	Talbert
Pace	Winfree
Robinson	

The Chair then laid the bill before the House, it was read first time and referred to the appropriate committee, as follows:

By Mr. Pope:

H. B. No. 796, A bill to be entitled "An Act to confirm and validate all patents heretofore issued by the State of Texas in confirmation of Spanish or Mexican Land Grants or Titles issued by the Spanish or Mexican Government prior to the Texas Revolution of 1836, which Grants or Titles have been recognized as valid by the Republic of Texas or by the State of Texas subsequent to 1836, and all patents heretofore issued by the State of Texas pursuant to any Act relinquishing the title or interest of the State of Texas in any such Spanish or Mexican Land Grants or Titles, and which patents have been issued and outstanding for a period of ten (10) years prior to the effective date of this Act, and relinquishing, quitclaiming, and granting to the patentees, their heirs and assigns, all of the lands included within the boundaries described in such patents, and declaring an emergency."

Referred to the Committee on Public Lands and Buildings.

#### HOUSE BILL NO. 631 ON SECOND READING

(By unanimous consent)

The Chair laid before the House, on its second reading and passage to engrossment,

H. B. No. 631, A bill to be entitled "An Act regulating the taking, catching and possessing of sand bass fish in the fresh waters of Denton County, Texas; providing that there shall be no closed season for the taking and catching of such fish; prescribing the bag limit and length limit thereof; regulating the kind of bait which may be used for the catching of such fish during certain months; prescribing penalties for any violation hereof; and defining the intent of this law, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

#### HOUSE BILL NO. 631 ON THIRD READING

Mr. Skiles moved that the constitutional rule, requiring bills to be read on three several days, be sus-

pending, and that House Bill No. 631 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—128

Allen	Hartzog
Allison	Holland
Alsup	Howington
Anderson	Hull
Bailey	Hunt
Baker	Isaacks
of Fort Bend	Johnson of Ellis
Baker of Grayson	Johnson of Tarrant
Bell	Kennedy
Blankenship	Kern
Bond	Kerr
Boyer	King
Bradbury	Langdon
Bradford	Lehman
Bray	Leyendecker
Bridgers	Little
Broadfoot	Lock
Brown of Cherokee	Loggins
Brown	London
of Nacogdoches	Mays
Bundy	McAlister
Burkett	McDaniel
Burney	McDonald
Cauthorn	McFarland
Chambers	McMurry
Clark	McNamara
Cleveland	Mohrmann
Coleman	Monkhouse
Colquitt	Montgomery
Colson, Mrs.	Morris
Cornett	Nicholson
Corry	Oliver
Crossley	Petsch
Daniel	Pevehouse
Davis of Jasper	Piner
Davis of Upshur	Pope
Dean	Ragsdale
Derden	Reader of Bexar
Dickison	Reader of Erath
Donaghey	Reaves
Dowell	Reed
Faulkner	Rhodes
Felty	Riviere
Ferguson	Roach
Fielden	Roberts
Galbreath	Russell
Gilmer	Schuenemann
Goodman	Segrist
Hale	Shell
Hamilton	Skiles
Hankamer	Smith of Frio
Hardeman	Smith of Hopkins
Hardin	Smith
Harp	of Matagorda
Harper	Spencer
Harrell of Lamar	Stinson

Stoll	Waggoner
Tarwater	Weldon
Taylor	Wells
Tennant	Westbrook
Thornberry	White
Thornton	Wilson
Turner	Wood
Vale	Worley
Vint	Wright
Voigt	

Absent

Boyd	Heflin
Celaya	Howard
Cockrell	Keith
Dickson	Kersey
Dwyer	Kinard
Fuchs	Newell
Gordon, Mrs.	Olsen
Harris	

Absent—Excused

Harrell of Bastrop	Talbert
Pace	Winfree
Robinson	

The Chair then laid House Bill No. 631 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—119

Allen	Crossley
Alsup	Daniel
Bailey	Davis of Jasper
Baker	Davis of Upshur
of Fort Bend	Dean
Baker of Grayson	Derden
Bell	Dickison
Blankenship	Donaghey
Bond	Dwyer
Boyd	Faulkner
Boyer	Felty
Bradbury	Ferguson
Bradford	Fielden
Bray	Fuchs
Broadfoot	Galbreath
Brown of Cherokee	Gilmer
Brown	Hale
of Nacogdoches	Hamilton
Bundy	Hankamer
Burkett	Hardeman
Burney	Hardin
Cauthorn	Harp
Chambers	Harper
Clark	Harrell of Lamar
Cleveland	Heflin
Coleman	Holland
Colquitt	Howard
Colson, Mrs.	Howington
Cornett	Hull
Corry	Hunt

Isaacks	Rhodes
Johnson of Ellis	Riviere
Johnson of Tarrant	Roach
Kennedy	Roberts
Kern	Russell
Kerr	Schuenemann
King	Segrist
Langdon	Shell
Lehman	Skiles
Leyendecker	Smith of Frio
Little	Smith of Hopkins
Lock	Spencer
London	Stinson
Mays	Stoll
McAlister	Tarwater
McDonald	Taylor
McMurry	Tennant
McNamara	Thornberry
Mohrmann	Thornton
Montgomery	Turner
Morris	Vint
Newell	Voigt
Nicholson	Weldon
Pevehouse	Wells
Piner	Westbrook
Pope	White
Ragsdale	Wilson
Reader of Bexar	Wood
Reader of Erath	Worley
Reaves	Wright
Reed	

Present—Not Voting

Oliver

Absent

Allison	Kersey
Anderson	Kinard
Bridgers	Loggins
Celaya	McDaniel
Cockrell	McFarland
Dickson	Monkhouse
Dowell	Olsen
Goodman	Petsch
Gordon, Mrs.	Smith
Harris	of Matagorda
Hartzog	Vale
Keith	Waggoner

Absent—Excused

Harrell of Bastrop	Talbert
Pace	Winfree
Robinson	

## RELATIVE TO HOUSE BILL NO. 18

Mr. Tennant moved that all necessary Rules be suspended, for the purpose of taking up, and considering, at this time, House Bill No. 18.

The motion to suspend the Rules was lost by the following vote:

Yeas—47

Alsup	Heflin
Anderson	Howard
Baker	Hull
of Fort Bend	Kinard
Boyer	Leyendecker
Bradbury	Lock
Bray	London
Bundy	McDaniel
Burney	Newell
Celaya	Nicholson
Clark	Petsch
Corry	Reed
Crossley	Rhodes
Daniel	Riviere
Davis of Jasper	Smith
Davis of Upshur	of Matagorda
Dean	Stinson
Derden	Tarwater
Donaghey	Taylor
Ferguson	Tennant
Fielden	Thornton
Gilmer	Vale
Hankamer	Vint
Hardeman	Wood
Harp	

Nays—69.

Allen	Johnson of Tarrant
Allison	Keith
Bailey	Kennedy
Baker of Grayson	Kern
Bell	Kerr
Bond	King
Boyd	Langdon
Bridgers	Lehman
Broadfoot	Little
Brown of Cherokee	Mays
Brown	McDonald
of Nacogdoches	McMurry
Cauthorn	Mohrmann
Chambers	Monkhouse
Cleveland	Montgomery
Cockrell	Morris
Cornett	Pevehouse
Dickson	Piner
Dowell	Ragsdale
Fuchs	Reader of Bexar
Galbreath	Reader of Erath
Goodman	Reaves
Gordon, Mrs.	Roach
Hale	Roberts
Hamilton	Russell
Harper	Skiles
Harris	Smith of Frio
Holland	Spencer
Howington	Stoll
Hunt	Thornberry
Isaacks	Turner
Johnson of Ellis	Weldon

Wells  
Westbrook  
White

Wilson  
Worley  
Wright

Present—Not Voting

Smith of Hopkins Voigt

Absent

Blankenship  
Bradford  
Burkett  
Coleman  
Colquitt  
Colson, Mrs.  
Dickson  
Dwyer  
Faulkner  
Felty  
Hardin  
Harrell of Lamar  
Hartzog

Kersey  
Loggins  
McAlister  
McFarland  
McNamara  
Oliver  
Olsen  
Pope  
Schuenemann  
Segrist  
Shell  
Waggoner

Absent—Excused

Harrell of Bastrop Talbert  
Pace Winfree  
Robinson

#### RELATIVE TO HOUSE BILL NO. 340

Mr. Newell was authorized to withdraw his name from House Bill No. 340, as co-author of same.

#### SENATE BILLS ON FIRST READING

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate Bill No. 185, to the Committee on Education.

Senate Bill No. 188, to the Committee on State Affairs.

Senate Bill No. 20, to the Committee on Penitentiaries.

Senate Bill No. 95, to the Committee on Municipal and Private Corporations.

Senate Bill No. 170, to the Committee on Judiciary.

#### ADJOURNMENT

Mr. Ragsdale moved that the House adjourn until 10:00 o'clock a. m., next Monday.

Mr. Hartzog moved that the House adjourn until 11:00 o'clock a. m., next Monday.

Mr. Corry moved that the House recess until 2:00 o'clock p. m., today.

Question first recurring on the motion by Mr. Ragsdale, it prevailed, and the House, accordingly, at 12:10 o'clock p. m., adjourned until 10:00 o'clock a. m., next Monday.

#### APPENDIX

#### STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills and resolution, as follows:

Judiciary: House Bills Nos. 39, 40, 45, 158 and 583.

Counties: House Bill No. 657.

Interstate Cooperation: House Bill No. 494.

State Eleemosynary and Reformatory Institutions: House Simple Resolution No. 123.

Privileges, Suffrage and Elections: House Bills Nos. 721 and 722.

Revenue and Taxation: House Bills Nos. 83 and 524.

The Committee on Criminal Jurisprudence filed an adverse report on House Bill No. 370.

#### REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Committee Room,

Austin, Texas, February 23, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 557, A bill to be entitled "An Act to amend Article 7064a, Revised Civil Statutes of Texas, 1925, as amended by Section 1-b, Chapter 258, House Bill No. 441, of the Acts of the Forty-fifth Legislature of Texas, 1937, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, February 23, 1939.  
Hon. R. Emmett Morse, Speaker of  
the House of Representatives.

Sir: Your Committee on Engrossed  
Bills, to whom was referred

H. B. No. 556, A bill to be entitled  
"An Act to amend Article 7064, Re-  
vised Civil Statutes of Texas, 1925,  
as amended by Section 1 of Chapter  
258, House Bill No. 441, of the Acts of  
the Forty-fifth Legislature of Texas,  
1937, and declaring an emergency."

Has carefully compared same and  
finds it correctly engrossed.

BRIDGERS, Chairman.

## TWENTY-NINTH DAY

(Monday, February 27, 1939)

The House met at 10:00 o'clock a.  
m., pursuant to adjournment, and was  
called to order by Speaker Morse.

The roll of the House was called,  
and the following Members were pres-  
ent:

Mr. Speaker	Colson, Mrs.
Allen	Cornett
Allison	Corry
Alsup	Crossley
Anderson	Daniel
Bailey	Davis of Jasper
Baker	Davis of Upshur
of Fort Bend	Dean
Baker of Grayson	Derden
Bell	Dickison
Blankenship	Dickson
Bond	Donaghey
Boyd	Dowell
Boyer	Dwyer
Bradbury	Faulkner
Bradford	Felty
Bray	Ferguson
Bridgers	Fielden
Broadfoot	Fuchs
Brown of Cherokee	Galbreath
Brown	Gilmer
of Nacogdoches	Goodman
Bundy	Gordon, Mrs.
Burkett	Hale
Burney	Hamilton
Cauthorn	Hankamer
Celaya	Hardeman
Chambers	Hardin
Clark	Harp
Cleveland	Harper
Cockrell	Harrell of Bastrop
Coleman	Harrell of Lamar
Colquitt	Harris

Hartzog	Piner
Heflin	Pope
Holland	Ragsdale
Howard	Reader of Bexar
Howington	Reader of Erath
Hull	Reaves
Hunt	Reed
Isaacks	Rhodes
Johnson of Ellis	Riviere
Johnson of Tarrant	Roach
Keith	Roberts
Kennedy	Robinson
Kern	Russell
Kerr	Schuenemann
Kersey	Segrist
Kinard	Shell
King	Skiles
Langdon	Smith of Frio
Lehman	Smith of Hopkins
Leonard	Smith
Leyendecker	of Matagorda
Little	Spencer
Lock	Stinson
Loggins	Stoll
London	Talbert
Mays	Tarwater
McAlister	Taylor
McDaniel	Tennant
McDonald	Thornberry
McFarland	Thornton
McMurry	Turner
McNamara	Vint
Mohrmann	Voigt
Monkhouse	Waggoner
Montgomery	Weldon
Morris	Wells
Newell	Westbrook
Nicholson	White
Oliver	Wilson
Olsen	Wood
Pace	Worley
Petsch	Wright
Pevehouse	

Absent—Excused

Vale

Winfree

A quorum was announced present.

Prayer was offered by Rev. George  
W. Coltrin, Chaplain, as follows:

"Lord, we rejoice this morning in  
the renewed opportunities for service  
that are ours. As we measure our  
strength against our problems and  
tasks we feel insufficient in our-  
selves. We are encouraged in Thy  
word to ask wisdom of Thee, and to  
pray that Thou wilt overrule our  
shortcomings and shape our efforts  
to Thy glory. In Christ's name.  
Amen."